

## Pierce County Public Works & Utilities

### NOTICE OF INTENT TO OBTAIN CUSTODY

#### VESSEL with Washington Registration # WN 1242 NP

The Pierce County Public Works & Utilities has declared, a 32Ft Fiberform Cabin Cruiser with Washington registration #WN 1242 NP, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). The Pierce County Public Works & Utilities took temporary possession of the vessel and had it removed from the Randall boat launch in Gig Harbor, Pierce County, in order to prevent it from sinking, breaking up, or posing a threat to human health and safety or the environment. The vessel has been hauled out of the water and is located in a storage yard in Gig Harbor.

Pierce County Public Works & Utilities, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take full and formal custody of the vessel on **August 11, 2014 (Custody Date)**. After taking custody of the vessel, Pierce County Public Works & Utilities may use or dispose of it without further notice to the owner.

**In order to keep the vessel, before the Custody Date, the owner must:**

- Pay Pierce County Public Works & Utilities back for costs incurred, **and**
- Pick up the vessel from its storage location, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after Pierce County Public Works & Utilities has custody, or wants to challenge Pierce County Public Works & Utilities decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Pierce County Public Works & Utilities. Addresses are in the boxes below:

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| <b>Pollution Control Hearings Board</b> (send one original and one copy)<br><b>Physical address:</b> 1111 Israel Road<br>Tumwater, WA 98501<br><b>Mailing address:</b> PO Box 40903<br>Olympia, WA 98504-0903<br><b>Phone:</b> 360-664-9160 | <b>Pierce County Public Works &amp; Utilities</b><br>4812 196th St E<br>Spanaway, WA. 98387-6710 |
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The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See [www.eho.wa.gov/Documents/Pamphlet\\_PCHB.pdf](http://www.eho.wa.gov/Documents/Pamphlet_PCHB.pdf) or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **September 10, 2014 (Appeal Date)**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by Entity in responding to the vessel.**

These costs may include all administrative costs incurred by Pierce County Public Works & Utilities, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a law suit, the successful party may receive reasonable attorneys' fees and costs.

Pierce County Public Works & Utilities also may pursue any other remedies available under law. Pierce County Public Works & Utilities is taking this action under the authority of Chapter 79.100 RCW. You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>.

**For more information, contact Bert Kalalau at Pierce County at 253-798-4713 or [rkalala@co.pierce.wa.us](mailto:rkalala@co.pierce.wa.us).**